REMARKS

Initially, it is noted that the Examiner has rejected claim 31 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 31 to correct the lack of antecedent basis, and as such, withdrawal of the Examiner's rejection to claim 31 is respectfully requested.

The Examiner has also rejected claims 1-9,11,14,16-18, 20 and 29-33 under 35 U.S.C. § 102 as being anticipated by Swenson, U.S. Patent No. 2,637,249. While disagreeing with the Examiner's interpretation of the teaching of the '249 patent, applicant has amended the pending claims to more particularly define the invention for which protection is sought. As such, reconsideration of the Examiner's rejection is respectfully requested in view of the following comments.

Claim 1 defines a rail assembly for supporting a blanking tool insert on an outer frame for a lower blanking tool of a carton die cutting machine. The rail assembly incorporates an elongated insert receiving element that includes an upper wall and a lower wall that define a cavity therebetween for receiving a portion of the blanking tool insert therein. The elongated insert receiving element further includes a mounting leg depending from the lower wall. A clamp piece is connectable to the outer frame and defines a vertically extending inner face, an opposite vertically extending outer face engageable with the outer frame and a bore extending between the inner and outer face. The jaw is operatively connected to the clamp piece so as to define a clamping cavity between the jaw element and outer face of the clamp piece. The jaw element is movable between the clamping position for retaining the mounting leg of the insert receiving element and the clamping cavity and a release position. As hereinafter described, the cited reference does not show or suggest a rail assembly incorporating an elongated insert

receiving element that includes an upper wall and a lower wall that define a cavity therebetween for receiving a portion of the blanking tool insert therein or a mounting leg depending from the lower wall of the insert receiving element that is receivable within the clamping cavity between the jaw element and outer face of the clamp piece.

The Swenson '249 patent clamps for holding a workpiece on a supporting surface of a milling machine, planer, shaper, lathe or the like. Each clamp includes a block, an adjustable jaw, a hold down screw for clamping the block to a supporting surface of a machine tool, and an adjusting screw for adjusting the jaw against the workpiece. According to diagram 1 of the office action, the examiner has equated the machine tool as the insert receiving element and the area above the supporting surface of the machine tool as the cavity for receiving the blanking tool insert. However, as heretofore described, claim 1 now specifies that the elongated insert receiving element includes an upper wall and a lower wall that define a cavity therebetween for receiving a portion of the blanking tool insert therein. Clearly, the clamping cavity the examiner has identified in diagram 1 of the office action is not defined by upper and lower spaced walls of the insert receiving element. Further, nothing in the '249 patent suggests positioning the examiner's so-called blanking tool insert between the upper and lower walls. In addition, the '249 patent does not show or suggest a mounting leg depending from the lower wall of the insert receiving element that is receivable within the clamping cavity between the jaw element and outer face of the clamp piece. As best seen in Figs. 1 and 5 of the '249 patent, no portion of the so-called blanking tool insert is receivable in the clamping cavity shown in diagram 1 of the office action. Consequently, it is believed that claim 1 defines over the cited reference and is in proper form for allowance.

Claims 2-9 and 11 further define a rail assembly not shown or suggested in the prior art. Applicant believes that claims 2-9 and 11 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Claim 14 defines a rail assembly for supporting a blanking tool insert on an outer frame for a lower blanking tool of a carton die cutting machine. The rail assembly incorporates an elongated insert receiving structure element that includes an upper wall and a lower wall defining a cavity therebetween for receiving a portion of the blanking tool insert. The elongated insert receiving element further includes a mounting leg depending from the lower wall. A plate member defines inner and outer faces and includes a bore extending between the inner face and the outer face along an axis at an acute angle to the outer face in the range of 30° and 80°. A clamping structure is operatively connected to the plate member and is movable between a clamping position for rigidly retaining the mounting leg of the insert receiving structure against the plate member and a release position.

As heretofore described, the clamping cavity identified by the Examiner in diagram 1 of the office action is not defined by upper and lower spaced walls of the insert receiving element, as required by claim 14. Further, nothing in the '249 patent suggests positioning the examiner's so-called blanking tool insert between the upper and lower walls, as required by claim 14. In addition, the '249 patent does not show or suggest a mounting leg depending from the lower wall of the insert receiving element that is receivable within the clamping cavity between the jaw element and outer face of the clamp piece, as required by claim 14. Consequently, it is believed that claim 14 defines over the cited reference and is in proper form for allowance.

Claims 16-18 and 20 further define a rail assembly not shown or suggested in the prior art. Applicant believes that claims 16-18 and 20 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Similar to claims 1 and 14, claims 29-33 define a rail assembly incorporating assembly incorporates an elongated insert receiving structure element that includes an upper wall and a

lower wall defining a cavity therebetween for receiving a portion of the blanking tool insert. The elongated insert receiving element further includes a mounting leg depending from the lower wall. Again, the clamping cavity the examiner has identified in diagram 1 of the office action is not defined by upper and lower spaced walls of the insert receiving element, as required by claims 29-33. Further, nothing in the '249 patent suggests positioning the examiner's so-called blanking tool insert between the upper and lower walls, as required by claims 29-33 or a mounting leg depending from the lower wall of the insert receiving element that is receivable within the clamping cavity between the jaw element and outer face of the clamp piece, as required by claims 29-33. As such, it is believed that claim 29-33 define over the cited reference and is in proper form for allowance.

Applicant believes that the present application with claims 1-9, 11, 14, 17-18, 20 and 29-33 is in proper form for allowance and such action is earnestly solicited. Applicant believes that no fees are due in this case. However, the Director is hereby authorized to charge payment of any extension or additional fees associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,

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